

ER files

DOCUMENT NO. _____
NO CHANGE IN CLASS. ☒
☐ DECLASSIFIED
CLASS. CHANGED TO: TS S C
NEXT REVIEW DATE: _____
AUTH: HR 10-2
DATE: 1 MAY 1988 REVIEWER:

STAT

Honorable John A. Moss, Chairman
Government Information Subcommittee
House Committee on Government Operations
Washington 25, D.C.

Dear Mr. Chairman:

I am attaching herewith the replies of this
agency to the questionnaire submitted with your
letter to me of 8 August 1955.

With kindest regards,

Sincerely,

Allen D. Dulles
Director

STAT

Attachment

- 1 - GC:WLP/hic (19 September 55)
- Orig. & 1 - Add
- 2 - Signer
- 2 - Legislative Counsel
- 1 - Dir. of Security
- 1 - Assistant to the Director/Col. Grogan

*10/5/55: 041 hand to
G.C. [unclear]
over*

Handcarried by Mr. Houston to Department of Justice on 5 October 1955.

ER files

- 1 (d) Business, trade and other groups with an economic interest in the information?

A: The Central Intelligence Agency does not furnish information to business, trade or other groups with an economic interest in the information.

- (e) Research specialists, scientists, public affairs organizations and similar groups or individuals?

A: The Central Intelligence Agency does not furnish information to research specialists, scientists, public affairs organizations or similar groups of individuals. However, certain individuals, whose specialized knowledge is required by the Agency, are retained as consultants or experts and are furnished information on a "need-to-know" basis.

2. On what do you base authority for denying access to or not making available such information?

A: The authority for denying access to information is Section 102 (d)(3) of the National Security Act of 1947 (P. L. 253, 80th Congress), Section 7 of the Central Intelligence Agency Act of 1949 (P. L. 110, 81st Congress), and Executive Order 10501. Copies attached.

3. What terms do you use to describe restrictions placed on imparting information?

A: The terms specified by Executive Order 10501. The Director is the only individual who authorizes what information may be passed to the press. An effort is made to supply the Congress with all information requested. Other government agencies are provided that information required, provided the proper security considerations are met.

- 3 (a) Please define each term to indicate the type of informational material which it includes, to what group or individuals it applies and what exceptions are made in its application.

A: The terms specified by Executive Order 10501 are utilized to indicate types of information concerned, and in addition special handling is required for information relating specifically to intelligence sources and methods to assure that it is available only on a "need-to-know" basis within and without the Agency.

- (b) What proportion is withheld on each basis?

A: See 3 (a) above.

- (c) What steps have been taken by your agency to insure that procedures for restricting information are not being abused?

A: A continual review of classification procedures and practices in accordance with standards of Executive Order 10401 and procedures for declassification of specific items of information have been established to prevent abuse of the restriction of information.

- (d) What persons in your agency are authorized to apply restrictions on imparting information in the first instance?

A: The Director of Central Intelligence establishes procedures for the Central Intelligence Agency regarding application of restrictions on imparting information in accordance with the standards of Executive Order 10501. The Top Secret Control Officer, the Director of Security, and appropriate operating officials are authorized to apply restrictions on imparting information originated by this Agency.

- (e) What provisions are made for review of the decisions of these persons?

A: See 3 (c) above.

3 (f) Who reviews the initial restrictions placed on imparting information?

A: See 3 (c) above.

(g) How often does your agency review information to which restrictions have been applied to determine whether the restrictions should be removed?

A: See 3 (c) above.

(h) Who removes the restrictions?

A: See 3 (c) above.

4. If the information from your agency is restricted on security grounds, list the specific statutes, Presidential directives or other bases for such action.

A: See 2 above.

(a) What steps have been taken by your agency to insure that security classification procedures are not being abused?

A: See 3 (c) above.

(b) What persons in your agency are authorized to apply security classifications in the first instance?

A: Senior Intelligence Officers are specifically designated to apply original security classifications.

(c) What provisions are made for review of initial security classification decisions?

A: A classification control network established throughout the Agency reviews classified material for the purpose of downgrading or declassification. Guidance on a continuing basis is furnished to the control network by the CIA Classification Control Officer.

4 (d) Who reviews initial classifications?

A: See 4 (c) above.

(e) How often does your agency review classified material to determine whether some of the material should be downgraded or declassified?

A: A constant review is made of classified material for the purpose of downgrading and declassifying.

(f) Who revises classifications?

A: Assistant Classification Control Officers, authorized classifiers and other designated officials may revise security classifications provided the consent of the original classifier has been obtained.

(g) What consideration is given to the public's right to know and to the importance of an informed public in the successful operation of the democratic form of government?

A: The Central Intelligence Agency is cognizant of the importance of an informed public in the successful operation of the democratic form of government and supports the principle that the public should be furnished with all information that does not endanger the National security. The protection of National security necessitates CIA's strictly observing secrecy in regard to its operations on behalf of the United States Government. This security would be violated and our relations with intelligence organizations of foreign allied governments, as well as other United States intelligence organizations, would be endangered were secrecy not maintained.

(h) What methods are used to determine whether potential enemy states already possess the information?

A: The Central Intelligence Agency has a major responsibility to determine whether potential enemy states possess information relating to the National security. Central Intelligence Agency may not, of course, reveal the methods it uses in such instances.

- 4 (i) What consideration is given to the importance of uniform availability of classified information among scientists, economists, administrators, and others entitled to special access to such information?

A: This is a matter outside of the competence of this Agency except insofar as this Agency is responsible for dissemination of intelligence to those departments and agencies of the Executive Branch of the Government who do furnish information to scientists, economists, administrators, and others entitled to special access to classified information.

5. Please estimate the annual cost to your agency of administering security provisions applying to information held by the agency.

A: It would be impossible to break down the annual cost to the Central Intelligence Agency of administering security provisions concerning information, inasmuch as this is an integral part of the over-all security controls of the Agency.

6. What categories and types of information about the activities of your agency are available to the organizations and individuals listed in Question No. 1 above?

A: This is answered in Question No. 1 above.

7. Please describe the organization within your agency for making information available to the press and the public, to Congress and to other federal agencies. Please estimate the annual cost.

A: An Assistant to the Director is responsible, in addition to other duties, for making any information available to the press that the Director may

A: 7. (Continued.) authorize. A Legislative Counsel in the Office of the General Counsel is responsible for ensuring the provision of that information to the Congress which is requested; ordinarily the Director or other Senior officials personally present the information. Information to other government agencies is made available by the responsible officers dealing with other agencies on a "need-to-know" basis. The annual cost of that portion of the Office of the Assistant to the Director concerned with handling information is \$4,000. The annual cost of that portion of the Office of Legislative Counsel concerned with this function is \$24,000.

8. Does information possessed by your agency reach groups or individuals not entitled to it by law, executive order, regulation or policy? If so, please explain.

A: Restrictions are used on the great majority of information possessed by this Agency as set forth in the answers to Question 3. Very little of this information has reached groups or individuals not entitled to it, and in those cases immediate corrective and, whenever possible, punitive action has been taken.

9. Do you receive from other agencies complete and timely information when requested?

A: Yes. (In the answers to this question the "need-to-know" principle has been applied.)

(a) In how many instances was information desired from other agencies denied from July 1, 1954, to July 1, 1955?

A: None.

- 9 (b) In how many instances was information possessed by your agency denied to other agencies from July 1, 1954, to July 1, 1955?

A: None.

- 9 (c) Please suggest ways of improving the flow of information among federal agencies.

A: Our comments pertain only to the intelligence agencies of the government, and it is considered the present procedure for the flow of information interchanged is adequate.

10. How can the job of making available timely, factual, and pertinent information on the affairs of your agency be improved? Please recommend any necessary legislation.

A: No need exists to improve making information available. We do not believe that any legislation is necessary in this field.

II. PRESS

1. How many press conferences were held by your agency from July 1, 1954 to July 1, 1955?

A: None.

- (a) Who held these press conferences?

A: See above.

- (b) What is the basis for accreditation of persons attending the conferences and, if special accreditation is required over and above the general accreditation of the Senate and House Press Galleries, what are the requirements?

A: We have no accreditation procedure.

- (c) Are transcripts of the press conferences available?

A: See above.

2. How many formal or informal "background" or "briefing" sessions have been held by your agency for the press from July 1, 1954, to July 1, 1955, and who, in general, was invited?

A: None.

3. Which employees in your agency exercise public information functions including press contacts, radio-TV and other public appearances?

A: The Assistant to the Director.

- (a) What latitude do your press or public information employees have in answering questions from the press and public?

A: The Assistant to the Director exercises his judgment following policy guidance from the Director.

- (b) Which employees are instructed not to comment to the press or public either formally or informally?

A: All employees except the Assistant to the Director.

- (c) Is any review made of the actual contacts of those authorized to speak to the press?

A: A careful record is maintained of all contacts with the press.

4. What specific restrictions or controls are imposed by your agency over what is authorized for publication, including so-called "strategic information"?

A: The Central Intelligence Agency does not authorize information for publication.

- (a) Under what authority?

A: See above.

- (b) Is special accreditation required now by your agency for representatives of the press covering either domestic or overseas activities?

A: We do not give accreditation.

- (c) Are any special restrictions placed upon photographers or newsreel and television representatives?

A: See above.

- (d) Is your agency now preparing, or do you have prepared, plans for news censorship in wartime or other national emergency?

A: The Central Intelligence Agency has no plans for news censorship in wartime or other national emergency.

- (e) What is the nature of the plans or planning?

A: See above.

5. What specific requests from the press for information have been denied by your agency between July 1, 1954, and July 1, 1955?

A: All specific requests from the press for classified information have been denied.

- (a) Has release of important information been delayed in any instances?

A: See above.

- (b) Is information from your agency released simultaneously to all news media?

A: Were information to be released, it would be released simultaneously to all news media.

- (c) Has your agency discriminated against any news media?

A: No.

I. GENERAL

1. What categories and types of information possessed by your agency are not available to:

(a) The press and other information media serving the general public:

A: The following information is not available pursuant to Public Law 253, 80th Congress, Public Law 110, 81st Congress, and Executive Order 10501: Information relating to intelligence sources and methods, or that information which tends to reveal intelligence sources and methods; information officially designated as "classified" by agencies of the government; information concerning CIA's number of employees, their titles, their salaries, etc.

(b) The Congress:

A: Information relating to the activities of the Central Intelligence Agency required for appropriations and substantive legislation is made available to the appropriate committees of Congress. Public Law 253 directs the protection of sources and methods of operation of the Central Intelligence Agency and specifically enjoins making public the number of employees, their titles, salaries, etc.

(c) Other federal agencies:

A: Information concerning the operations of the Central Intelligence Agency is generally not available to other federal agencies. However, certain endeavors are conducted in cooperation with the Departments of Defense and State and these organizations are made aware of Central Intelligence Agency activities on a "need-to-know" basis.

III. CONGRESS

1. What categories and types of information are not furnished to:

- (a) Individual Congressmen on request?
- (b) Congressional committees on request?
- (c) Congressional committees upon subpoena?

A: Information is furnished to the Congress only upon request. There are no exceptions to the furnishing of information by category or type. However, if the information is highly sensitive, the circumstances which make it sensitive are explained to the requestor, and either by agreement the request is limited to the less sensitive aspects or, by agreement, conditions are set to protect the sensitive information. In accordance with the policy established by the President, this Agency does not supply any information contained in its personnel security files to Congressional Committees or individual members of Congress.

2. If information is refused, on what authority is the refusal based?

- (a) To individual Congressmen?
- (b) To Congressional committees on request?
- (c) To Congressional committees upon subpoena?

A: If information were refused, it would be refused on the basis of the sensitivity of the information in regard to sources and methods, which Central Intelligence Agency is required to protect.

3. How many instances have there been between 1 July 1954 and 1 July 1955 of refusal of information by your agency to:

3 (a) Individual Congressmen on request?

A: Two.

(b) Congressional committees on request?

A: Seven.

(c) Congressional committees upon subpoena?

A: None.

4. Please outline the instances listed in Question 3 where the information was refused on the basis of the doctrine of executive communications.

A: None.

5. What information does your agency regularly transmit to individual Congressmen, Congressional committees and the Congress as a whole?

A: The Central Intelligence Agency regularly corresponds with individual members of the Congress on the subject of employment applications. The Agency transmits to individual Congressmen and Congressional committees who have requested it our Daily Report of monitored foreign broadcasts, which is an unclassified document. There is transmitted to the Congress on an annual basis, pursuant to Section 404 of the Federal Tort Claims Act of 1946, the required report of claims paid under the provisions of the Act by the Agency, listing the name of each claimant, the amount claimed, the amount awarded, and a brief description of each claim. The Agency provides such periodic briefings as are required by the Armed Services Committees of the Congress, as well as such appearances as are required in support of its annual appropriations. In addition, the Agency

provides an estimate of foreign atomic energy developments to the Joint Congressional Committee on Atomic Energy at least on an annual basis and more frequently when occasion demands, together with oral testimony on this subject.

- 5(a) Please explain the policies and practices of your agency on transmitting such information.

A:

It is the policy of this Agency to supply information to the members of Congress and its committees to the fullest extent possible and consistent with sound security practices. It is also the policy of this Agency to present information to the appropriate members and committees of Congress to enable the Congress to exercise its constitutional rights in connection with the activities of the Executive Branch of the Government, together with such information as may be necessary in support of legislation in which the Agency is interested. Where this information is of a security nature, the appropriate members of Congress and their committees take the necessary security measures to safeguard such information.

- (b) Please supply the regulations, directives, etc., regarding transmittal of this information.

A:

None.

- (c) Where this information is transmitted pursuant to statute, please supply citation.

A:

Information regarding claims paid under the provisions of the Federal Tort Claims Act of 1946 (P. L. 601, 79th Congress) is forwarded under Section 404 of that Act.

5(d) Is all this information, in your opinion, timely, necessary and useful?

A: Yes.

(e) Do security considerations affect your decision whether to supply information to individual Congressmen on request?

A: Yes. See answer to Question 1.

(f) In this connection what use do you make of security files on members of Congress?

A: This Agency does not use security files on members of Congress. It does not have any such files nor is it aware of security files on members of Congress other than those which may exist on members who were formerly employees of the Executive Branch of the Government.

(g) Please suggest ways of improving the flow of information to individual Congressmen and Congressional committees.

A: We believe that the present flow of intelligence information within the jurisdiction of this Agency to individual members of Congress and Congressional committees is satisfactory.

6. How many employees of your agency are assigned the job of contact with or making information available for individual Congressmen or Congressional committees?

A: Three.

(a) What are their titles?

A: The Legislative Counsel, a legislative assistant and one secretary.

- 6 (b) If you have a Congressional liaison section, please describe its day-to-day operation.

A: The Office of the Legislative Counsel handles all telephone calls, requests and correspondence from the individual members of Congress and Congressional committees. The Legislative Counsel, as a member of the Office of the General Counsel, participates in the drafting of such legislation as may be required by the Agency, and reviews all legislation and Congressional developments to determine its interest to the Agency. It also makes available to the appropriate persons in the Agency material originating in the Congress which is of interest to such persons.

- (c) Please estimate the annual cost to your agency of providing information to individual Congressmen.

A: The annual cost to the Agency of providing information to individual Congressmen, other than the salaries indicated in the reply to Question 1.7., cannot be calculated accurately. The additional costs would largely be made up of the man-hours required to prepare such testimony as the Agency may give to the Congress and to prepare material required to answer Congressional requests.

- (d) To Congressional committees.

A: See b.(c).

STAT
STAT